MICHAEL J. HORGAN; TIM ALLEN; MICHAEL GARDINER; TERRI McGILL

Serial No.:

08/908,994

Filed:

AUGUST 8, 1997

Title:

METHOD AND APPARATUS FOR SECURE COMMUNICATIONS

Group:

Examiner:

Docket No.:

36212.00006 (SYN5397.01A)

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, SUPPLEMENTAL, NATIONAL STAGE OF PCT, DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declarat	tion is	of the	follov	wing	type:
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X original (regular)

__ design

_ supplemental-continuation of PCT Application in the U.S.

check the next item; check appropriate one of last three items.

__ national stage of PCT

divisional

continuation

continuation-in-part

INVENTORSHIP IDENTIFICATION

WARNING:

NOTE:

If the inventors are each not the inventors of all of the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

If the declaration is for an International Application being filed as a divisional, continuation, or continuation-in-part, do not

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention described in

SPECIFICATION IDENTIFICATION

[] the specification filed	herewith by the above-nam	ed inventors, with the title I	isted above.
[] the specification filed	herewith by the above-nam	ed inventors, with the title I	isted above, and which
was amended by the	Preliminary Amendment file	ed herewith.	
[] the specification iden	tified above, as amended by	y the Preliminary Amendme	ent filed herewith.
[X] the specification iden	tified above, and which was	amended on N/A	
[] PCT International App	olication No	filed on	, and amended
	on(if a		
ACKNOW	LEDGMENT OF REVIEW	OF PAPERS AND DUTY O	F CANDOR
I hereby state that I have	reviewed and understand to	ne contents of the above-id	entified specification,
including the claims, as a	mended by any amendmen	t referred to above.	
1 acknowledge the duty to 1.56.	disclose information which	is material to patentability	as defined in 37 C.F.R. §
	DDIODITY CLAIM /2	5 U.S.C. § 119(a)-(d))	
I hereby claim foreign pric	ority benefits under 35 U.S.	• ,,,,,,	ian annlication(s) for
	cate or under 35 U.S.C. § 3		
	country other than the Unite	•	• • • • • • • • • • • • • • • • • • • •
-	gn application(s) or inventor		
· ·	country other than the Unite	•	• • • • • • • • • • • • • • • • • • • •
•	before that of the applicati	•	•
-	no such applications have b	•	iimea.
	• •		
_	uch application have been	nieu as ionows.	
	APPLICATION(S) FILED WITHIN		
APP	LICATION AND ANY PRIORITY	CLAIMS UNDER 35 U.S.C. 9 119	(a)-(a)
COUNTRY (OR INDICATE IF PCT)	APPLICATION	FILING DATE	PRIORITY CLAIMED
INDICATE IF PCT)	NUMBER	(day, month, year)	UNDER 37 U.S.C. § 119
			YES NO

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (35 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional applications (s) listed below: PROVISIONAL APPLICATION SERIAL NUMBER FILING DATE OF PROVISIONAL APPLICATION **CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIONS UNDER 35 U.S.C. 120** (complete this part only if this is a divisional, continuation, CIP or national stage of PCT) I/We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability under 37 C.F.R.§ 1.56, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application. PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120: 1. **U.S. Applications: SERIAL NUMBER FILING DATE** 2. PCT Applications Designating The U.S. PCT APPLICATION NUMBER PCT FILING DATE U.S. SERIAL NUMBER

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

John P. O'Banion Registration No. 33,201
James M. Ritchey Registration No. 32,594
Steven L. Smith Registration No. 44,343
Rodger H. Rast Registration No. 45,853
Richard M. Wiesner Registration No. 48,748

Attached as part of this declaration and power of attorney is the authorization of the above-named attorney to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

CUSTOMER NUMBER 8156

John P. O'Banion O'BANION & RITCHEY LLP 400 Capitol Mall, Suite 1550 Sacramento, CA 95814 John P. O'Banion (916) 498-1010

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of first inventor:	MICHAEL J. HORGAN
Inventor's Signature: Mucha	1 Hayan
Date:	Country of Citizenship: UNITED STATES
Residence:	SACRAMENTO, CALIFORNIA 95841
P.O. Address:	5037 BUFFWOOD WAY SACRAMENTO, CA 95841
Full name of second joint inventor:	TIM ALLEN
Inventor's Signature:	
Date:	Country of Citizenship: UNITED STATES
Residence:	SACRAMENTO, CALIFORNIA 95829
P.O. Address:	7956 KEITH WINNEY CIRCLE SACRAMENTO, CA 95829

Full name of third joint inver	ntor: MICHAEL GARDINER
Inventor's Signature:	
Date:	Country of Citizenship: UNITED STATES
Residence:	HONG KONG
P.O. Address:	HALE WEAL INDUSTRIES BUILDING 22-28 TAI CHUNG ROAD, 6/F TSUEN WAN, NT, HONG KONG
Full name of fourth joint inve	entor: TERRI McGILL
Inventor's Signature:	
Date:	Country of Citizenship: UNITED STATES
Residence:	ROSEVILLE, CALIFORNIA 95678
P.O. Address:	610 HAMPTON DRIVE ROSEVILLE, CA 95678
CHECK PROPER BOX(ES)	FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH FORM A PART OF THIS DECLARATION
	e to combined declaration and power of attorney for signature by joint inventors nonsigning inventors who refuse to sign or cannot be reached 17(a))
Nur	nber of nages added 1

MICHAEL J. HORGAN; TIM ALLEN; MICHAEL GARDINER; TERRI McGILL

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ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY JOINT INVENTORS ON BEHALF OF NONSIGNING INVENTORS WHO REFUSE TO SIGN OR CANNOT BE REACHED (37 CFR 1.47(a))

("37 C.F.R. § 1.47(a) and 35 U.S.C. § 116 ¶ 2 require <u>all</u> available joint inventors to file an application 'on behalf' of themselves and on behalf of a joint inventor who 'cannot' be found or reached after diligent effort" "or who refuses to join in an application." M.P.E.P. § 409.03(a), 6th ed., rev. 3 (emphasis added). See also 62 Fed. Reg. 53, 131, 53,137, 203 O.G. 68 (Oct. 10, 1997).)

I am an above named joint inventor and have signed this declaration on my own behalf and also sign this declaration under 37 CFR 1.47(a) on behalf of the nonsigning joint inventor, particulars for whom are:

Full name of first joint nonsigning inventor:

MICHAEL GARDINER

Country of Citizenship of nonsigning inventor:

UNITED STATES

Last known address of nonsigning inventor:

HALE WEAL INDUSTRIES BUILDING 22-28 TAI CHUNG ROAD, 6/F TSUEN WAN, NT, HONG KONG

Mukal Kargan MICHAEL J. HORGAN	Dated: _//-/9-03
TIM ALLEN	Dated:
TERRI McGILL	Dated:

MICHAEL J. HORGAN; TIM ALLEN; MICHAEL GARDINER; TERRI McGILL

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08/908,994 AUGUST 8, 1997

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TYPE OF DECLARATION

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X original (regular)

design

supplemental-continuation of PCT Application in the U.S.

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_ national stage of PCT

divisional

continuation

continuation-in-part

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[] the specification filed	nerewith by the above-nam	ned inventors, with the title	listed above.
[] the specification filed	herewith by the above-nam	ned inventors, with the title	listed above, and which
was amended by the I	Preliminary Amendment fil	ed herewith.	
[] the specification ident	fied above, as amended b	y the Preliminary Amendm	ent filed herewith.
[X] the specification ident	ified above, and which wa	s amended onN/A	<u>. </u>
[] PCT International App	lication No	filed on	, and amended
under PCT Article 19	on (if a	pplicable).	
ACKNOWI	EDGMENT OF REVIEW	OF PAPERS AND DUTY (OF CANDOR
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I acknowledge the duty to 1.56.	disclose information which	n is material to patentability	as defined in 37 C.F.R. §
	PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))	
I hereby claim foreign prio	rity benefits under 35 U.S.	C. §§ 119(a)-(d) of any fore	eign application(s) for
patent or inventor's certific	ate or under 35 U.S.C. § 3	365(b) of any PCT internation	onal application(s)
designating at least one or	ountry other than the Unite	d States of America listed I	below, and have also
identified below any foreig	n application(s) or invento	r's certificate or any PCT in	ternational application(s)
designating at least one or	ountry other than the Unite	d States of America filed by	y me on the same subject
matter having a filing date	before that of the applicat	ion(s) of which priority is cla	aimed.
<u>X</u> no	o such applications have b	een filed.	
si	uch application have been	filed as follows.	
		I 12 MONTHS (6 MONTHS FOR CLAIMS UNDER 35 U.S.C. § 119	
COUNTRY (OR	APPLICATION	FILING DATE	PRIORITY CLAIMED
INDICATE IF PCT)	NUMBER	(day, month, year)	UNDER 37 U.S.C. § 119
			YES NO
	· · · · · · · · · · · · · · · · · · ·		YES NO
			YES NO
			YES NO

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (35 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional applications (s) listed below:

PROVISIONAL APPLICATION SE	RIAL NUMBER	FILING DATE O	F PROVISIONAL APPLICATION		
CLAIM FOR E	CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIONS UNDER 35 U.S.C. 120				
(complete this part of	nly if this is a divisional	continuation, CIP or n	ational stage of PCT)		
I/We hereby claim the benefit unde	er Title 35, United S	States Code, § 120	of any United States		
application(s) or PCT international	application(s) desi	gnating the United	States of America that is/are listed		
below and, insofar as the subject m	natter of each of the	e claims of this ap	plication is not disclosed in		
that/those prior application(s) in the	e manner provided	by the first paragr	aph of Title 35, United States		
Code, § 112, I acknowledge the du	ty to disclose infor	mation which is ma	aterial to patentability under 37		
C.F.R.§ 1.56, which occurred between	een the filing date	of the prior applica	ation(s) and the national or PCT		
international filing date of this applie	international filing date of this application.				
	PPLICATIONS OR PC TING THE U.S. FOR E				
1. U.S. Applications:					
SERIAL NUMBER	<u> </u>		FILING DATE		
					
2. PCT Applications Design	ating The U.S.				
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SIGNATURE(S)

Full name of first inventor:	MICHAEL J. HORGAN
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Date:	Country of Citizenship: UNITED STATES
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P.O. Address:	5037 BUFFWOOD WAY SACRAMENTO, CA 95841
Full name of second joint inventor: Inventor's Signature:	TIM ALLEN
Date: 11/19/03	Country of Citizenship: UNITED STATES
Residence:	SACRAMENTO, CALIFORNIA 95829
P.O. Address:	7956 KEITH WINNEY CIRCLE SACRAMENTO, CA 95829

Full name of third joint inventor:		MICHAEL GARDINER		
Inventor's Signa	ature:			
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Residence:		HONG KONG		
P.O. Address:		HALE WEAL INDUSTRIES BUILDING 22-28 TAI CHUNG ROAD, 6/F TSUEN WAN, NT, HONG KONG		
Full name of for	urth joint inventor:	TERRI McGILL		
Inventor's Signa	ature:			
Date:		Country of Citizenship: UNITED STATES		
Residence:		ROSEVILLE, CALIFORNIA 95678		
P.O. Address:		610 HAMPTON DRIVE ROSEVILLE, CA 95678		
CHECK PROPE		OF THE FOLLOWING ADDED PAGE(S) WHICH FORM A PART OF THIS DECLARATION		
<u>_X</u>		d declaration and power of attorney for signature by joint inventors inventors who refuse to sign or cannot be reached		
	Number of page	es added 1		

MICHAEL J. HORGAN; TIM ALLEN; MICHAEL GARDINER; TERRI McGILL

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Country of Citizenship of nonsigning inventor:

UNITED STATES

Last known address of nonsigning inventor:

HALE WEAL INDUSTRIES BUILDING 22-28 TAI CHUNG ROAD, 6/F TSUEN WAN, NT, HONG KONG

	Dated:
MICHAEL J. HORGAN TIM ALLEN	Dated:
TERRI McGII I	Dated:

Applicant⁻

MICHAEL J. HORGAN; TIM ALLEN; MICHAEL GARDINER; TERRI McGILL

Serial No.:

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As a below named inventor, I hereby declare that:

continuation-in-part

TYPE OF DECLARATION

This de	claratior	is of the following type:
	<u>X</u>	original (regular)
	_	design
	_	supplemental-continuation of PCT Application in the U.S.
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	_	national stage of PCT
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n by the above-named inventors, with the title	1
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was amended by the	Preliminary Amendment fil	ed herewith.			
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	PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))		
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patent or inventor's certifi	cate or under 35 U.S.C. §	365(b) of any PCT ir	iternatio	nal applicati	on(s)
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identified below any forei	gn application(s) or invento	r's certificate or any	PCT inte	ernational a	oplication(s)
designating at least one o	country other than the Unite	ed States of America	filed by	me on the s	same subject
matter having a filing date	e before that of the applicat	ion(s) of which prior	ity is clai	med.	
<u>X</u> r	o such applications have t	een filed.			
_	uch application have been	filed as follows.			
	APPLICATION(S) FILED WITHIN				R TO THIS
COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	FILING DAT (day, month, y		UNDER	Y CLAIMED 37 U.S.C. § 119
•				YES	NO
		:		YES	NO
				YES	NO

__ NO

_YES

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PCT FILING DATE

2.

PCT Applications Designating The U.S.

PCT APPLICATION NUMBER

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SACRAMENTO, CA 95829

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Full name of fourth joint inventor:	TERRI McGILL
Inventor's Signature:	Male I am a second and a second a second and
Date: <u>//-/9-03</u>	Country of Citizenship: UNITED STATES
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	ed declaration and power of attorney for signature by joint inventors inventors who refuse to sign or cannot be reached
Number of page	es added1

MICHAEL J. HORGAN; TIM ALLEN; MICHAEL GARDINER; TERRI McGILL

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Full name of first joint nonsigning inventor:	MICHAEL GARDINER
Country of Citizenship of nonsigning inventor:	UNITED STATES
Last known address of nonsigning inventor:	HALE WEAL INDUSTRIES BUILDING 22-28 TAI CHUNG ROAD, 6/F TSUEN WAN, NT, HONG KONG
	Dated:
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